

ELECTRONICALLY FILED
AUGUST 25, 2006

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9 *Counsel for the Official Committee of Equity Security*
 10 *Holders of USA Capital First Trust Deed Fund, LLC*

11 **UNITED STATES BANKRUPTCY COURT**
 12 **DISTRICT OF NEVADA**

12 In re:) BK-S-06-10725-LBR
 13 USA COMMERCIAL MORTGAGE COMPANY) Chapter 11
 Debtor)

14 In re:) BK-S-06-10726-LBR
 15 USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
 Debtor)

16 In re:) BK-S-06-10727-LBR
 17 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) Chapter 11
 Debtor)

18 In re:) BK-S-06-10728-LBR
 19 USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
 Debtor.)

20 In re:) BK-S-06-10729-LBR
 21 USA SECURITIES, LLC,) Chapter 11
 Debtor.)

22 Affects)

22 ☐ All Debtors) Date: September 25, 2006
 23 ☐ USA Commercial Mortgage Co.) Time: 9:30 a.m.
 24 ☐ USA Securities, LLC)
 25 ☐ USA Capital Realty Advisors, LLC)
 26 ☐ USA Capital Diversified Trust Deed)
 27 ☒ USA Capital First Trust Deed Fund, LLC)

26 **DECLARATION OF SHLOMO S. SHERMAN, ESQ. IN SUPPORT OF THE FIRST**
 27 **INTERIM FEE AND EXPENSE APPLICATION OF SHEA & CARLYON, LTD., SPECIAL**
 28 **(LOCAL) COUNSEL TO THE OFFICIAL COMMITTEE OF EQUITY SECURITY**
HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (AFFECTS USA CAPITAL
FIRST TRUST DEED FUND, LLC)

1 I, SHLOMO S. SHERMAN, ESQ., hereby declare as follows:

2 1. The following facts are personally known to me, and if called to do so, I could
3 and would competently testify thereto.

4 2. I am an associate with the law firm of Shea & Carlyon, Ltd. ("SC"), special
5 (Nevada) counsel for the Official Committee of Equity Security Holders of USA Capital First
6 Trust Deed Fund, LLC (the "FTDF Committee"), and I make this declaration in support of the
7 First Interim Fee and Expense Application of Shea & Carlyon, Ltd., Special (Local) Counsel to the
8 Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the
9 "Application").
10

11 3. I have personally reviewed the information contained in the Application, and
12 the same is true and correct to the best of my knowledge, information and belief.
13

14 4. SC bills for expenses, including in house photocopies (\$.25 per page); telefax
15 transmissions (\$1.00 per page long distance; \$.50 per page local); scanning/large print jobs (\$.10 per
16 page); messenger service (\$7.50 to \$10.00 per "run" or actual cost where outside messenger service is
17 required on an emergency or out of area basis); postage (actual cost); Westlaw (actual cost)¹; long
18 distance telephone (actual cost); and third party expenses (including court reporter fees, costs of tapes
19 and transcripts, outside copying services, filing fees, and meals).
20

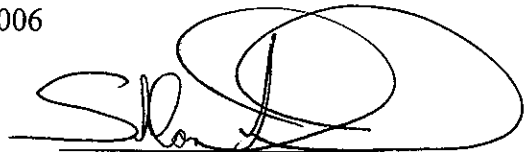
21 5. The chronological list of fees and expenses incurred through July 31, 2006 attached
22 to the Application as Exhibit 2 and 3, respectively, are true and accurate copies invoices that are
23 maintained by SC in the ordinary course of business.

24 6. I have personally reviewed and edited the bill in this matter, and it represents
25
26

¹ SC currently subscribes to unlimited use of federal and state cases and statutes and does not pass charges for such flat fee subscriptions on to its clients.

1 the true and correct charges to the best of my knowledge, information and belief.

2 DATED this 25th day of August, 2006

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5 SHLOMO S. SHERMAN, ESQ.
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